

## Fact Sheet:

# Community Protection Program

### Background

The Community Protection Program provides 24-hour-supervision of people with developmental disabilities who have: 1) committed serious crimes and served their prison time; 2) committed crimes but were not charged or were found incompetent to stand trial. All Community Protection Program participants must constitute a current risk to others as determined by a qualified therapist. Their disabilities include mental retardation, autism, epilepsy, cerebral palsy, and Down syndrome. There are about 465 people in the Community Protection Program who live in communities throughout Washington.

In 1996, the Washington State Legislature began providing funding to the DSHS Division of Developmental Disabilities (DDD) to establish a program where offenders with developmental disabilities could be supervised 24 hours a day, and where their behavior and treatment could be carefully monitored. Until 1996, many offenders in this group lived in our communities without any special supervision, and often without any treatment that would help prevent re-offenses.

Washington's Community Protection Program is highly regarded nationally and was the first to be approved by the federal government to receive Medicaid waiver funding. The Department of Social and Health Services (DSHS) continues to make improvements to the Community Protection Program to provide better treatment and education, anticipate problems, and structure living arrangements to minimize crises.

### Key Program Features:

- Around-the-clock supervision has kept the community safer.
- The program is voluntary.

### The Program Offers:

- Trained employees of private DSHS certified residential agencies who provide direct 24/7 staff support and supervision to participants;
- Therapy;
- Assistance in learning daily living skills such as cooking, personal hygiene, and banking;
- Employment for working age adults;
- Criteria which determine where clients can rent their homes. For example, participants with sexually inappropriate behaviors normally cannot live near schools, child care centers or playgrounds;
- Alarms on doors and windows to alert support people living with them of attempts to leave;
- Planning with the program participant on risk reduction strategies and how to create healthy relationships; and
- Participation in positive life-building activities.

---

**FOR MORE INFORMATION, CONTACT:**  
**Shirley Everard, Program Manager, (360) 725-3444**  
**Division of Developmental Disabilities**  
**Aging and Disability Services Administration**

### **How are clients of the Division of Developmental Disabilities identified as candidates for the Community Protection Program?**

Typically Division clients are first identified as candidates for Community Protection by their case managers. Families may call for help to find an appropriate residential placement or a client may be preparing for discharge from prison or a psychiatric hospital. Once the case manager determines a client may pose a risk to others, DDD begins the process for assessment and referral to the Community Protection Program. The process includes a case review by the regional community protection committee. If the committee determines there is justification for an independent assessment, approval for a psycho-sexual or psychological evaluation is obtained from the client and/or guardian. Depending on the outcome of the risk assessment and the availability of funds, the client may be offered Community Protection Residential Services.

All clients must sign a DSHS pre-placement agreement prior to being served in the Community Protection Program. It is a voluntary program and any participant can sign a refusal of services form and leave at any time. CMS Home & Community Based Waiver requirements preclude the use of the CP Waiver as an alternative to incarceration.

### **What are the criteria for eligibility for the Community Protection Program?**

An individual must meet one of the following criteria to be eligible for Community Protection Program Services:

- The person has been convicted of or charged with a crime of sexual violence as defined in RCW and constitutes a current risk to others as determined by a qualified professional.
- The person has been convicted or charged with sexual acts directed towards strangers or persons of casual acquaintance with whom no substantial personal relationship exists, and constitutes a current risk to others as determined by a qualified professional.
- The person has not been convicted and/or charged with a crime, but has a history of violent, stalking, sexually violent, predatory, and/or opportunistic behavior which a qualified professional has determined demonstrates a likelihood to commit a violent, sexually violent and/or predatory act..

### **What does “Constitutes a Risk” mean?**

**Constitutes a risk to others** means a determination of a person's risk to re-offend and/or dangerousness based upon a thorough assessment by a qualified professional (i.e., licensed psychologist or psychiatrist, certified sex offender treatment provider.)

### **What is the role of the Treatment Team in Community Protection?**

The Treatment Team includes the program participant and the group of people responsible for the development, implementation, and monitoring of the person's individualized supports and services. The group includes case managers, therapists, residential and employment providers, and the person's family or guardian. Treatment teams meet at least once every 90 days to staff cases and review treatment guidelines. Representatives of other state agencies and law enforcement may also participate.

DSHS does not believe it should provide less than recommended levels of support advised by the licensed or certified therapist and treatment team to people with behaviors that are dangerous to others. If the client or guardian objects to that level of support, they may refuse to participate in the program. People determined to be at risk who refuse the recommended 24-hour Community Protection Residential Services Program will have only Medicaid Personal Care services available, provided they qualify by income and functional need.

### **Crisis Plan**

A significant element of the program is the detailed crisis plan. Many program participants with particularly challenging behaviors have a detailed cross system crisis plan. The plan includes everyone involved in the person's care plus other community agencies that could be potentially involved in a crisis. The plan requires collaboration and coordination with family, treatment programs for sexual offenders, local mental health providers, state hospitals, the DSHS Juvenile Rehabilitation Administration, the Department of Corrections, and local law enforcement.

### **Site approval**

To increase community safety, the contracted agencies that provide daily residential and supervisory services to Community Protection participants must obtain site approval from DDD prior to serving a CPP participant.

Approval for a residence comes after the provider and a designated DDD representative have inspected the proposed property and its immediate neighborhood at different times and days of the week. The goal is to ensure the proposed residence is not close to areas where children gather, such as parks, schools, or child care facilities. For registered sex offenders being released from DOC facilities, the community corrections officer must also approve the residence.

### **Increasing quality of training**

DDD has invested resources to increase the quality of training for staff working in these specialized programs. Training material includes a video and manuals that provide consistent training for all residential and day program staff and DDD case managers. DDD also sponsors periodic workshops and conferences related to public safety issues.

### **Certification requirements**

All Community Protection agencies go through a certification process at least every two years that reviews the quality of services the agency provides to these clients. Since early 2004, the residential contracts and agency inspections are managed separately by different divisions of DSHS. Certification requirements include:

- Unannounced inspections;
- Private interviews with Community Protection program participants to determine if they have complaints about the people who support them;
- Re-inspections to ensure problems are resolved properly after a citation for problems;
- Shorter certification periods, provisional certification, or revoking the certification if a contracted agency has a serious citation; and
- Use of an electronic incident reporting system to help ensure that injuries, illnesses, assaults, and other serious events are reported in a timely manner. DDD staff also receive specialized training in incident management and abuse and neglect reporting.

Visit the DDD Internet website at <http://www1.dshs.wa.gov/ddd/index.shtml>